

From: Russell Kohn
To: Microsoft ATR
Date: 12/6/01 2:05pm
Subject: Don't Settle

I am writing today in opposition to settlement with Microsoft Corporation and the terms as I understand them.

My name is Russell Kohn. I am a resident of the city of Agoura Hills, California in the county of Los Angeles. I own a small computer consulting firm that is located in the city of Santa Monica, California, in the country of Los Angeles. I started the business in 1986 and we have employed between 4 and 8 people through the past years.

In our office we have a mix of hardware and software. We use Microsoft software, Apple software, software from Red Hat and other suppliers. We used to resell hardware and software in addition to provide our consulting services. Now we are primarily a provider of custom software development services to small & medium businesses as well as the publisher of a small database utility for FileMaker Pro developers. Our consulting clients include both small businesses and household names including the William Morris Agency, UCLA, and Blue Cross. Our products are used by many consultants at many facilities including some DOD, DOE groups and at many major Universities.

Over the years I have personally and repeatedly experienced incompatibilities with Microsoft software that would not have been tolerated from any other supplier nor maintained structurally within the channel without their monopolistic strength. This has lead to financial costs and inefficiencies that we don't experience in other areas of our practice.

Any settlement that accomplishes further erosion of competitive forces (eg. the Education deal into market currently owned by Apple) or that does not institute real limits on Microsoft monopoly position would be a waste of time and a setback for the American people (as well as the rest of the world).

Now is the time for government to play its regulatory role in this field.

Sincerely,

- Russell Kohn

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